

**COMMENTS OF COX CALIFORNIA TELCOM, LLC DBA COX
COMMUNICATIONS ON DRAFT REPORT: CHALLENGES FACING
CONSUMERS WITH LIMITED ENGLISH SKILLS IN THE RAPIDLY
CHANGING TELECOMMUNICATIONS MARKETPLACE**

Cox submits these comments on the Consumer Services and Information Division (“CSID”) August 21, 2006 comprehensive report addressing the challenges that Limited English Proficient (L.E.P.) consumers face in obtaining wireline and wireless telephone service in California (“Draft Report”). Since the Commission adopted Decision 06-03-013, Commission staff, Community Based Organizations (“CBOs”) and industry members have devoted a significant amount of time toward investigating, identifying and implementing in-language consumer education and enforcement activities for the benefit of L.E.P. consumers. Already, these efforts have advanced the Commission’s goal to provide the utmost protection to California consumers. As the CBOs have consistently highlighted, L.E.P. consumers are most at risk with respect to certain carriers’ abusive and fraudulent marketing practices and such consumers are also the least likely to challenge their service providers. Therefore, L.E.P. consumers have the most to gain from the Commission’s consumer protection initiatives.

Cox commends CSID and the Commission for the efforts they have extended to date in examining L.E.P. consumers’ concerns. CSID hosted two workshops during which Staff, CBOs and industry representatives discussed wireline and wireless carriers’ practices regarding L.E.P. consumers and also CBO’s findings on the challenges and problems that L.E.P consumers face in connection with wireline and wireless services. The Commission also sponsored four public meetings held at locations throughout the State to gather additional data from a wider audience. CSID also gathered additional data on carrier practices by issuing data requests and making at least one site visit to a carrier’s in-language support operations.

The Draft Report demonstrates that L.E.P. consumers will benefit from the Commission’s nascent in-language programs and the Commission’s new and improved education and enforcement efforts,¹ as well as the proposal set forth in the Draft Report.

¹ Draft Report, p. viii.

The Draft Report submits six recommendations that the Commission should implement immediately to address issues faced by L.E.P. consumers.² Specifically, the recommendations would require the Commission to properly identify L.E.P. consumers, provide L.E.P. consumers access to appropriate consumer education resources, including access to the Commission's Consumer Affairs Branch and Public Advisor's Office, track in-language complaints and identify carriers that target L.E.P. consumers with fraudulent marketing activities. All of these proposals go towards providing appropriate assistance, education and protection to L.E.P. consumers, and therefore, Cox supports such recommendations.

Recognizing the progress that the Commission, Staff, CBO, and industry representatives have made at workshops concerning L.E.P. consumers, the Draft Report smartly recommends that these parties continue to engage in a collaborative approach to develop a voluntary carrier code of conduct for in-language practices. Cox agrees that this approach makes the most sense for addressing complex in-language issues. Specifically, the voluntary code of conduct must account for complexities concerning language and cultural differences and barriers. The voluntary code of conduct would also need to address the significant complexities arising from the various types of carriers involved and their different marketing plans and operational structures.

The Draft Report recognizes that it would be premature to recommend that the Commission open a formal rulemaking proceeding. Echoing the Decision 06-03-013, the Draft Report correctly recognizes that other consumer protection initiatives, such as the recently introduced education efforts (i.e. www.CalPhoneInfo.com)³ and newly increased enforcement efforts⁴ should be fully underway before the Commission can properly determine if additional rules are necessary. After implementing the consumer education and enforcement efforts set forth in Decision 06-03-013 and the specific recommendations included in the Draft Report, the Commission will be in a better position to determine if additional rules regarding L.E.P. consumers are necessary.

² Id., pp. ii–iii.

³ Id., p. 30.

⁴ For example, the Commission recently adopted Resolution No. UEB-001 which authorizing CPSD to issue citations for slamming violations; the Commission will also adopt cramming reporting requirements; and the Commission created a special Telecommunications Consumer Fraud Unit within CPSD.

Date: September 14, 2006

Respectfully submitted,
Cox California Telcom, LLC
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/s/ Margaret L. Tobias

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PROOF OF SERVICE

I, Mark Lyons, the undersigned, hereby declare that, on September 14, 2006, caused a copy of the foregoing:

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in the above-captioned proceeding, to be served as follows:

☒ [X] Via U.S. Mail to Ms. Jessica Hecht

☒ [X] Via email to parties on service list for CPI LEP

Dated: September 14, 2006 at San Francisco, California.

/s/ Margaret L. Tobias

Margaret L Tobias